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7 *State Farm Mutual Automobile Insurance*
Company

8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

11 ASHLEY WINN;

12 Plaintiff,

13 vs.

14 SHELTER MUTUAL INSURANCE
COMPANY; STATE FARM MUTUAL
15 AUTOMOBILE INSURANCE COMPANY;
and DOES I through X, and ROE Corporations
16 I through X, inclusive,

17 Defendants.

CASE NO.: 2:22-cv-1441-JCM-BNW

**STIPULATION AND ORDER TO
EXTEND DISCOVERY DEADLINES**

[THIRD REQUEST]

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19 Pursuant to LR 6-1 and LR 26-3, the parties, by and through their respective counsel of
20 record, hereby stipulate and request that this Court extend discovery in the above-captioned case by
21 sixty (60) days, up to and including Monday, March 11, 2024. In addition, the parties request that
22 all other future deadlines contemplated by the Discovery Plan and Scheduling Order be extended
23 pursuant to Local Rule. In support of this Stipulation and Request, the parties state as follows:

24 **DISCOVERY COMPLETED**

- 25 1. On November 16, 2022, the parties conducted an initial FRCP 26(f) conference.
26 2. On February 24, 2023, Plaintiff served written discovery on Defendant State
27 Farm. State Farm served its Responses on April 13, 2023.
28 3. On February 24, 2023, Plaintiff served her FRCP 26 Initial Disclosures.

4. On January 23, 2023, Defendant State Farm served its FRCP 26 Initial Disclosures.
5. On March 2, 2023, Defendant Shelter served its FRCP 26 Initial Disclosures.
6. On March 2, 2023, Plaintiff Ashley Winn filed her FRCP 26.1 Initial Disclosures.
7. On April 13, 2023, Defendant State Farm filed their Responses to Plaintiff Winn's First Requests for Production.
8. On May 1, 2023, Plaintiff Ashley Winn filed her answers to Defendant State Farm's 1st Set of Interrogatories, and Defendant State Farm's 1st set of Request for Production.
9. On July 5, 2023, Defendant Shelter Mutual Insurance Company filed their 1st set of Interrogatories and Requests for Production to Plaintiff Ashley Winn.
10. On September 14, 2023, Plaintiff Ashley Winn filed her responses to Defendant Shelter Insurance's First Set of Interrogatories and Shelter Insurance's 1st Set of Requests for Production.
11. On October 12, 2023, Defendant Shelter Mutual Insurance Company filed their First Supplemental Disclosures Pursuant to FRCP 26(a)(1).
12. On October 13, 2023, the deposition of Plaintiff Ashley Winn took place.

DISCOVERY REMAINING

1. The parties will continue participating in written discovery.
2. Defendant will collect Plaintiff's medical records.
3. Plaintiff will depose State Farm representatives.
4. Plaintiff will depose Defendant State Farm's FRCP 30(b)(6) witness(es).
5. Plaintiff will depose Defendant Shelter representatives.
6. Plaintiff will depose Defendant Shelter's FRCP 30(b)(6) witness(es).
7. The parties may depose any and all other witnesses garnered through discovery, potentially including treatment providers and claims adjusters.
8. The parties will designate expert witnesses and may conduct depositions of those expert witnesses.
9. Any and all discovery required as permitted by the Federal Rules of Civil Procedure.

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1 **WHY REMAINING DISCOVERY HAS NOT BEEN COMPLETED**

2 The parties aver, pursuant to Local Rule 26-3, that good cause exists for the following
3 requested extension. This Request for an extension of time is not sought for any improper purpose
4 or other purpose of delay. Rather, the parties seek this extension solely for the purpose of allowing
5 sufficient time to conduct discovery.

6 The parties have been diligent in moving the case forward: participating in a reasonable
7 amount of discovery, including exchanging their initial lists of witnesses and documents;
8 propounding written discovery requests and preparing responses thereto; records procurement; and
9 preparing for and conducting Plaintiff's deposition.

10 Plaintiff in this case is incarcerated and Defendant State Farm was only able to depose her
11 on October 13, 2023, a month prior to the deadline for expert disclosures. Additionally, counsel for
12 Plaintiff has received over 25,000 pages of file materials to evaluate. Further, counsel for Defendant
13 State Farm has undergone a personnel change within the firm that has required he take over cases
14 previously handled by another experienced lawyer.

15 Due to the delays mentioned above, Plaintiff's counsel needs additional time to complete the
16 above depositions of State Farm and Shelter representatives and Defendants' FRCP 30(b)(6)
17 witness. The parties agree the claims handling experts would require certain employee fact witness
18 depositions for their reports. The parties anticipate taking depositions of claim handling employees
19 and perhaps the policy holders.

20 Extension or Modification of The Discovery Plan and Scheduling Order. LR 26-3 governs
21 modifications or extension of the Discovery Plan and Scheduling Order. Any stipulation or motion
22 to extend or modify that Discovery Plan and Scheduling Order must be made no later than twenty
23 one (21) days before the expiration of the subject deadline and must comply fully with LR 26-3.
24 This stipulation is made more than 21 days before the expiration of any deadlines.

25 This is the third request for extension of time in this matter. The parties respectfully submit
26 that the reasons set forth above constitute compelling reasons for the short extension. The deadline
27 to amend pleadings has passed and the parties are not requesting that deadline be reopened.

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The following is a list of the current discovery deadlines and the parties' proposed extended deadlines:

Scheduled Event	Current Deadline	Proposed Deadline
Discovery Cut-off	<i>Wednesday, January 10, 2024</i>	<i>Monday, March 11, 2024</i>
Expert Disclosure pursuant to FRCP 26 (a)(2)	<i>Monday, November 13, 2023</i>	<i>Thursday, January 11, 2024</i>
Rebuttal Expert Disclosure pursuant to FRCP. 26(a)(2)	<i>Monday, December 11, 2023</i>	<i>Monday, February 12, 2024</i>
Dispositive Motions	<i>Monday, February 12, 2024</i>	<i>Wednesday, April 10, 2024</i>
Joint Pretrial Order	<i>Monday, March 11, 2024</i>	<i>Friday, May 10, 2024</i> <i>If dispositive motions are pending, then the parties will serve their Joint Pretrial Order within thirty days of the Court's order as to the parties' dispositive motions.</i>

WHEREFORE, the parties respectfully request that this Court extend the discovery period by sixty (60) days from the current deadline of *Wednesday, January 10, 2024*, up to and including

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Monday, March 11, 2024, and the other dates as outlined in accordance with the table above. This enlargement of time does not have any effect on trial or calendar call times.

Dated this 17th day of October, 2023.

Dated this 17th day of October, 2023.

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Dated this 17th day of October, 2023.

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ORDER

IT IS SO ORDERED.

DATED this 18 day of October, 2023.

UNITED STATES MAGISTRATE JUDGE